



On May 19, 2008, petitioner filed an Application for Attorneys' Fees and Costs (Fee App.) requesting a total of \$113,653.08, in attorneys' fees and costs and petitioner's expenses. On May 20, 2008, petitioner's counsel filed two motions to amend his application for Attorneys' Fees and Costs requesting a final award of \$114,243.08 in attorneys' fees and costs. On June 16, 2008, respondent's counsel filed a response to petitioner's amended application for attorneys' fees and costs indicating that the parties have resolved their differences with respect to the requested attorneys' fees and costs. Petitioner's counsel now indicates that he will accept an award of \$110,000.00 in attorneys' fees and costs and costs borne by petitioner. Respondent indicated that his client will not object to an award of \$110,000.00.

The Vaccine Act permits an award of reasonable attorneys' fees and costs. 42 U.S.C. § 300 aa-15(e). Based on the agreement of the parties, the undersigned **GRANTS** the attorneys' fees and costs as outlined in the response to petitioner's amended application for attorneys' fees and costs filed on June 16, 2008.

The undersigned awards petitioner \$110,00.00 in fees and costs.

Therefore, in the absence of a motion for review filed pursuant to RCFC Appendix B, the clerk of the court **SHALL ENTER JUDGMENT** in petitioner's favor in the amount of \$110,000.00 in attorneys' fees and attorneys' costs and petitioner's costs.<sup>3</sup> The judgment shall reflect that the Shoemaker and Associates law firm may collect \$109,970.00 from petitioner. Petitioner may retain \$30.00 for costs borne by petitioner.

**IT IS SO ORDERED.**

s/Patricia E. Campbell-Smith  
Patricia E. Campbell-Smith  
Special Master

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<sup>3</sup> Pursuant to Vaccine Rule 11(a), entry of judgment is expedited by the parties' joint filing of notice renouncing the right to seek review.